

Written Statement of
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President
Human Rights Campaign
to the
Federal Workforce, Postal Service and the District of Columbia Subcommittee
Committee on Oversight and Government Reform
United States House of Representatives
“Public Service in the 21st Century: An Examination of the State of the Federal Workforce”
Room 2154
Rayburn House Office Building
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On behalf of the Human Rights Campaign and our over 750,000 members and supporters nationwide, I am honored to submit this statement regarding the state of the federal workforce. Thousands of lesbian, gay, bisexual and transgender (LGBT) people serve their country every day as federal employees and, as the nation’s largest civil rights organization advocating for the LGBT community, we at the Human Rights Campaign look forward to working with the subcommittee to ensure that the federal government is a fair and equitable workplace that attracts the best talent and rewards equal work with equal pay.

The federal government is our nation’s largest employer, with more than two million civilian employees. Its employment policies directly impact the lives and families of those workers and its example goes far beyond federal workers, influencing other public employers and the private sector. In many respects, the federal government has been a leader in workplace policy, but it lags far behind the private sector with regard to treating its lesbian, gay, bisexual and transgender employees fairly. There are tremendous challenges facing our nation today and the federal government will bear a large part of the burden in addressing them. At the same time, much of the federal workforce is reaching retirement age. In the coming years, our nation as an employer will need to recruit the best and the brightest and will need policies and benefits that make it competitive with the private sector. Congress, the White House and the Office of Personnel Management must work together to ensure that the federal workforce is a welcoming and attractive place for all who wish to do their part for our country.

Equal Employment Opportunity

Lesbian, gay and bisexual federal workers have been protected under federal workplace policies for many years, but there remains no clear protection based on gender identity. As a result, transgender people are at risk of being denied a job, fired or refused a promotion based on something wholly unrelated to ability or experience; this is contrary to the core principles of the federal merit system and in stark contrast to the inclusive policies of more than a third of Fortune 500 companies. While the White House, working with OPM, can, and must, ensure through executive action that these employees are protected from arbitrary discrimination, we also call on Congress to finally pass an Employment Non-Discrimination Act that protects LGBT employees across the country and in every sector.

Treatment of Employees' Families

While federal policy bars discrimination against lesbian, gay and bisexual government workers in employment decisions, those with same-sex partners continue to be treated differently, and paid less, than their heterosexual, married counterparts. Unlike more than half of Fortune 500 companies, the federal government does not extend health, retirement and other benefits to employees' domestic partners or same-sex spouses. According to the Bureau of Labor Statistics, nearly 13 percent of employees' compensation comes in the form of insurance and retirement benefits, which generally cover family members and dependents, and 7 percent in the form of paid leave, which makes it possible for workers to accommodate work and family obligations. As a result, a lesbian or gay civilian employee doing the same job as a married heterosexual counterpart, in the same pay grade, will receive significantly lower compensation.

Limitations on these workers and their families go well beyond simply the lack of domestic partner health benefits. Foreign Service Officers, representing our nation around the world, sometimes in very difficult conditions, cannot be assured that their same-sex partners will have access to post medical facilities or coverage for emergency evacuation. Federal employees cannot take sick or bereavement leave to care for a partner or partner's children. And, along with failing to protect transgender workers from discrimination generally, the federal government fails to provide any health insurance coverage for medically-necessary treatments related to gender transition.

Increasingly, America's leading employers — including 57% of Fortune 500 companies, 15 states and over 200 cities and counties — provide equal family benefits for their lesbian and gay workers. Furthermore, because many companies that provide services to the government — such as top federal contractors Bechtel, Boeing, EDS, General Electric, Honeywell, Lockheed Martin, McKesson, Northrop Grumman, Raytheon and SAIC — offer equal family benefits to their lesbian and gay employees, qualified lesbian or gay applicants have a strong incentive to choose the private sector over government work even where the positions are similar.

OPM and the White House can, and must, address some these benefits issues through executive action. However, Congress must also act and pass the Domestic Partner Benefits and Obligations Act, ensuring that employees' same-sex partners are treated equally to their colleagues' married spouses.

Conclusion

Equal pay for equal work is a value fundamental to American opportunity. The federal government should be the standard bearer for fair workplace practices. As long it denies LGBT employees equal treatment, the federal government will fall short of that standard, and continue to lag behind the nation's top employers. On behalf of the Human Rights Campaign, I encourage you to position the federal government to compete for the nation's top talent by advancing policies to ensure equality in the workplace for all civilian employees.